
SENATE BILL No. 521

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-1-1; IC 20-8.1-3-18.

Synopsis: Student members on state board of education. Adds two high school students as nonvoting members of the state board of education and establishes a recommendation committee to recommend students for appointment by the governor.

Effective: July 1, 2002.

Blade, Bowser

January 14, 2002, read first time and referred to Committee on Rules and Legislative Procedure.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

SENATE BILL No. 521

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-1-1-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2002]: Sec. 1. (a) The Indiana state board of
3 education is established. The board shall consist of ~~ten (10)~~ **the state**
4 **superintendent of public instruction and twelve (12)** members
5 appointed by the governor. ~~and the state superintendent of public~~
6 ~~instruction.~~ Of the ~~ten (10)~~ **twelve (12)** members appointed by the
7 governor, a minimum of four (4) members must be persons who are
8 actively employed in the schools in Indiana and who hold a valid
9 teaching license. At least one (1) member must be appointed from each
10 congressional district in Indiana. **Two (2) members must be student**
11 **members appointed under section 1.1 of this chapter. The student**
12 **members are nonvoting members.** No more than six (6) members of
13 the board may be appointed from the membership of any one (1)
14 political party. A quorum consists of six (6) **voting** members of the
15 board, and an action of the board is not official unless it is authorized
16 by at least six (6) **voting** members. The **state** superintendent of public



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instruction shall serve as chairman of the board. **Except for the student members,** appointed board members shall serve for a term of four (4) years, unless dismissed before the expiration of four (4) years by the governor for just cause. **The student members shall serve for a term of two (2) years. However, a student member who is appointed in grade 12 shall serve for a term of one (1) year.** Any appointment to fill a vacancy occurring on the board shall be for the unexpired term.

(b) The **state** superintendent of public instruction shall appoint six (6) persons who shall serve on the advisory committee on textbook adoption. The state superintendent of public instruction or ~~his~~ **the state superintendent's** designee shall serve as a voting member of the committee. At least four (4) of the members of the advisory committee on textbook adoptions shall be actively employed in the schools in Indiana and hold a valid teaching license. No more than four (4) of the members of the committee may be appointed from the membership of any one (1) political party. The state superintendent or ~~his~~ **the state superintendent's** designee shall serve as chairman of the committee. Committee members shall serve at the pleasure of the superintendent of public instruction.

(c) The board and the committee shall meet at such times as they determine. The terms of office of the appointive members of the board shall commence on July 1.

(d) The board may establish other advisory committees as necessary to provide technical and professional assistance to the board.

(e) Whenever the board is required to conduct hearings under IC 4-21.5-3, the board may use hearing examiners who are not members of the board to conduct the hearings.

SECTION 2. IC 20-1-1-1.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 1.1. (a) As used in this section, "committee" refers to the student member recommendation committee established by subsection (b).**

(b) The student member recommendation committee is established to recommend candidates for the student members of the Indiana state board of education to the governor. The committee consists of the following members:

(1) Four (4) youth members, including:

(A) two (2) members representing the Association of High School Student Councils; and

(B) two (2) members representing the Indiana Youth Commission for Service and Leadership.



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(2) One (1) adult member representing the Indiana Association of Secondary Schools.

(3) One (1) adult member representing the Indiana State Teachers Association.

(4) One (1) adult member representing the Indiana State Superintendents Association.

(5) One (1) adult member representing the department of education.

(6) One (1) adult member representing the Indiana Federation of Teachers.

(7) One (1) adult member representing the Indiana Association of School Principals.

The chairperson shall be an adult member elected by the members. The members shall serve without compensation.

(c) The committee shall develop a written application form to be submitted to the committee by applicants for appointment as the student members of the Indiana state board of education under section 1 of this chapter.

(d) The committee shall screen applications submitted under subsection (c) and select ten (10) candidates according to the following criteria:

(1) Applicants must meet the following criteria for selection as a candidate:

(A) An applicant must be a high school student enrolled in an Indiana high school.

(B) An applicant must submit the written application developed under subsection (c) to the student member recommendation committee established by subsection (b).

(C) An applicant must submit two (2) letters of recommendation, including:

(i) one (1) letter from the principal of the high school in which the applicant is enrolled; and

(ii) one (1) letter from a parent or guardian of the applicant.

(D) An applicant's parent or grandparent may not:

(i) work for a bona fide political party (as defined in IC 3-5-2-5.5); or

(ii) hold a position appointed by a bona fide political party (as defined in IC 3-5-2-5.5).

(E) An applicant must maintain a grade point average that is equivalent to the grade point average that is required by the applicant's school for participation in extracurricular

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activities.

(2) The committee shall consider the following additional criteria in selecting the ten (10) candidates:

(A) Diversity in the size of the schools in which candidates are enrolled.

(B) Diversity in qualities and background of candidates.

(C) Commitment and motivation of a candidate.

(D) Emotional maturity of a candidate.

(E) Diversity in the educational experiences of candidates.

(F) Level of support for a candidate's appointment by:

(i) the candidate's high school;

(ii) the candidate's source of transportation; and

(iii) a member of the candidate's community that will assess the candidate's ability to serve on the Indiana state board of education.

(e) The committee shall recommend the ten (10) candidates selected under subsection (d) to the governor.

(f) The governor shall appoint two (2) student members to the Indiana state board of education as follows:

(1) One (1) member who attends school in a school corporation that is located:

(A) north of U.S. Highway 40; and

(B) in an Indiana county that is different than the Indiana county in which the school corporation that is attended by the member described in subdivision (2) is located.

(2) One (1) member who attends school in a school corporation that is located:

(A) south of U.S. Highway 40; and

(B) in an Indiana county that is different than the Indiana county in which the school corporation that is attended by the member described in subdivision (1) is located.

One (1) student member must attend school in a school corporation with an ADM (as defined in IC 21-3-1.6-1.1) that is greater than the median ADM determined by the department of education under subsection (g), and the other student member must attend school in a school corporation with an ADM that is not more than the median ADM determined by the department of education under subsection (g).

(g) The department of education shall annually determine the median ADM of the school corporations in Indiana.

SECTION 3. IC 20-8.1-3-18, AS AMENDED BY P.L.146-1999, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2002]: Sec. 18. (a) Service as a page for or as an honoree of the Indiana general assembly constitutes a lawful excuse for a pupil to be absent from school. For each day of page service or as an honoree of the Indiana general assembly, verified by the certificate of the secretary of the senate or the chief clerk of the house of representatives, a student excused from school attendance under this subsection shall not be recorded as being absent on any date for which the excuse is operative, nor shall the student be penalized by the school in any manner. This section applies to all pupils, whether they attend public, private, or parochial schools.

(b) The governing body of each school corporation and the chief administrative official of each private secondary school system shall authorize the absence and excuse of each secondary school student who serves on the precinct election board or as a helper to a political candidate or to a political party on the date of each general, city or town, special, and primary election at which the student works. Prior to the date of the election, the student must submit a document signed by one (1) of the student's parents or guardians giving permission to participate in the election as provided in this section, and the student must verify to school authorities the performance of services by submitting a document signed by the candidate, political party chairman, campaign manager, or precinct officer. The document must describe generally the duties of the student on the date of the election. A student excused from school attendance under this subsection shall not be recorded as being absent on any date for which the excuse is operative, nor shall the student be penalized by the school in any manner.

(c) The governing body of each school corporation or the chief administrative officer of each private school system shall authorize the absence and excuse of a student who is issued a subpoena to appear in court as a witness in a judicial proceeding. A student excused under this subsection shall not be recorded as being absent on any date for which the excuse is operative, nor shall the student be penalized by the school in any manner. The appropriate school authority may require that the student submit the subpoena to the appropriate school authority for verification.

(d) The governing body of each school corporation or the chief administrative officer of each private school system shall authorize the absence and excuse of each secondary school student who is ordered to active duty with the Indiana National Guard for not more than ten (10) days in a school year. For verification, the student must submit to school authorities a copy of the orders to active duty and a copy of the

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orders releasing the student from active duty. A student excused from school attendance under this subsection shall not be recorded as being absent on any date for which the excuse is operative, nor shall the student be penalized by the school in any manner.

(e) **The governing body of a school corporation or the chief administrative officer of a private school system shall authorize the absence and excuse of a student during the time that the student serves as:**

(1) **a student member of the Indiana state board of education under IC 20-1-1-1; or**

(2) **a youth member of the student member recommendation committee under IC 20-1-1-1.1.**

For verification, the student must submit to school authorities a document verifying the attendance of the student at a meeting of the Indiana state board of education or the student member recommendation committee. The document must be signed by the chairperson of the Indiana state board of education or the student member recommendation committee. A student excused from school attendance under this subsection shall not be recorded as being absent on any date for which the excuse is operative, nor shall the student be penalized by the school in any manner.

SECTION 4. [EFFECTIVE JULY 1, 2002] (a) **As used in this SECTION, "committee" refers to the student member recommendation committee established under IC 20-1-1-1.1, as added by this act.**

(b) **Not later than September 1, 2002, the organizations set forth in IC 20-1-1-1.1(b), as added by this act, shall make the appointments to the committee required under IC 20-1-1-1.1(b), as added by this act.**

(c) **Not later than October 1, 2002, the committee shall meet to elect a chairperson and begin development of the application form required under IC 20-1-1-1.1(c), as added by this act.**

(d) **Not later than January 1, 2003, the committee shall begin to accept applications from students interested in appointment as a student member of the Indiana state board of education under IC 20-1-1-1, as amended by this act.**

(e) **Not later than May 1, 2003, the committee shall make recommendations to the governor under IC 20-1-1-1.1(e), as added by this act.**

(f) **Not later than June 30, 2003, the governor shall appoint the student members of the Indiana state board of education under IC 20-1-1-1.1(f), as added by this act.**

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1 (g) Notwithstanding IC 20-1-1-1, as amended by this act, the
2 terms of the student members of the Indiana state board of
3 education appointed under IC 20-1-1-1.1(f), as added by this act,
4 begin July 1, 2003.

5 (h) This SECTION expires July 2, 2003.

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